

**HOUSE JOURNAL**

of the

**NINETY-FIFTH GENERAL ASSEMBLY**

of the

**STATE OF TENNESSEE**

**SECOND REGULAR SESSION**

**TUESDAY, JANUARY 12, 1988**

**FORTY-FOURTH LEGISLATIVE DAY**

Pursuant to Senate Joint Resolution No. 68, the House of Representatives of the Ninety-Fifth General Assembly met in Second Regular Session at 12:00 o'clock noon and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Dan Little, Pleasant Grove Baptist Church, Mountain City, Tennessee, guest of Representative Barton Hawkins.

Representative Barton Hawkins led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present. . . . . 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

The Speaker announced that Representative Buck was excused for business reasons.

The Speaker announced that Representative Webb was excused for business reasons.

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The Speaker announced that Representative Drew was excused because of car trouble.

### APPOINTMENT OF HOUSE OFFICERS

Mr. Speaker Murray announced that, pursuant to the resignation of Marilyn Evelyn Hand as Chief Engrossing Clerk, he had appointed Betty Kay Francis of Rutherford County to fill the vacancy in that position.

Mr. Speaker Murray announced that, pursuant to the appointment of Betty Kay Francis as Chief Engrossing Clerk, he had appointed Sandra Robert of Davidson County to fill the vacancy in the position of Assistant Chief Clerk.

### RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 420 out of order, which motion prevailed.

**House Joint Resolution No. 420** -- General Assembly, Joint Conventions -- Invites governor to give state-of-the-state address. by \*Naifeh, Chiles.

Rep. Naifeh moved that the rules be suspended for the purpose of considering House Joint Resolution No. 420 out of order, which motion prevailed.

Rep. Naifeh moved that House Joint Resolution No. 420 be adopted, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of considering House Joint Resolution No. 419 out of order, which motion prevailed.

**TUESDAY, JANUARY 12, 1988 -- FORTY-FOURTH LEGISLATIVE DAY**

**House Joint Resolution No. 0419** -- General Assembly, Joint Conventions -- Invites governor to give budget address. by \*Naifeh.

Rep. Naifeh moved that the rules be suspended for the purpose of considering House Joint Resolution No. 419 out of order, which motion prevailed.

Rep. Naifeh moved that House Joint Resolution No. 419 be adopted, which motion prevailed by the following vote:

Ayes. ....	94
Noes. ....	0
Present and Not Voting. ....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

Representative present and not voting was: Davis (Gibson).

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of considering House Joint Resolution No. 421 out of order, which motion prevailed.

**House Joint Resolution 0421** -- General Assembly, Adjournment, Recess -- Provides for recess of the General Assembly. by Naifeh.

Rep. Naifeh moved that the rules be suspended for the purpose of considering House Joint Resolution No. 421 out of order, which motion prevailed.

Rep. Naifeh moved that House Joint Resolution No. 421 be adopted, which motion prevailed by the following vote:

Ayes. ....	94
Noes. ....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R.

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(Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Rhinehart moved that the rules be suspended for the purpose of introducing House Resolution No. 75 out of order, which motion prevailed.

**House Resolution No. 0075** -- General Assembly, Statement of Intent Or Position -- Urges reinstatement of refreshment stand on second floor of State Capitol. by \*Rhinehart.

On motion, House Resolution No. 75 was held on the Clerk's desk.

**INTRODUCTION OF RESOLUTIONS**

**House Joint Resolution 0414** -- Memorials, Government Officials -- Memorializes Secretary of Navy to name appropriate U.S. vessel in honor of General Clifton B. Cates, 19th Commandant of the U.S. Marine Corps. by \*Ellis.

The Speaker referred House Joint Resolution No. 414 to the Calendar and Rules Committee.

**House Joint Resolution 0415** -- Memorials, Government Officials -- Memorializes Secretary of Navy to name appropriate U.S. vessel in honor of General Clifton B. Cates, 19th Commandant of U.S. Marine Corps. by \*Ellis.

The Speaker referred House Joint Resolution No. 415 to the Calendar and Rules Committee.

**House Joint Resolution 0416** -- General Assembly, Proclamations -- Invites the Third Marine Division Association to Nashville for their 1990 convention. by \*Ellis.

The Speaker referred House Joint Resolution No. 416 to the Calendar and Rules Committee.

**House Joint Resolution 0417** -- Memorials, Congratulations -- Congratulates Dale M. Quillen on being selected Judge Advocate of the Third Marine Division Association and honors his career. by \*Ellis.

The Speaker referred House Joint Resolution No. 417 to the Calendar and Rules Committee.

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**RESOLUTIONS LYING OVER**

**\*Senate Joint Resolution 0053** -- Memorials, Government Officials -- Requests the departments of commerce and insurance and health and environment to study catastrophic health insurance. by \*McNally.

The Speaker referred Senate Joint Resolution No. 53 to the General Welfare Committee.

**\*Senate Joint Resolution 0146** -- General Assembly, Studies -- Creates special joint committee to study laboratory and teaching equipment purchases for higher education. by \*Owen, \*Dunavant.

The Speaker referred Senate Joint Resolution No. 146 to the Education Committee.

**INTRODUCTION OF BILLS**

**\*House Bill No. 1324** -- Motor Vehicles, Titling and Registration -- Revises schedule of payment of fee for reflectorized license plates. Amends TCA, Title 55, Ch. 4. by \*Rhinehart.

Passed first consideration.

**\*House Bill No. 1325** -- Insurance Companies, Agents, Brokers -- Requires certain policies of insurance to include information which will allow the policyholder to contact more easily the insurer. Amends TCA, Title 56. by \*Ellis.

Passed first consideration.

**\*House Bill No. 1326** -- Insurance, Life -- Authorizes certain insurance policyholders to return a policy and receive a refund. Amends TCA, Title 56, Ch. 7. by \*Ellis.

Passed first consideration.

**\*House Bill No. 1327** -- Highways, Roads and Bridges -- Directs the commissioner of transportation to add the words "West Nashville" to certain existing directional signs on I-40 in Davidson County. by \*Odom.

Passed first consideration.

**House Bill No. 1328** -- Pensions and Retirement Benefits -- Under certain conditions, general state employees who terminated employment in 1979 will be provided with service or early service allowance under Tennessee Consolidated Retirement System. Amends TCA 8-36-204. by \*Rhinehart.

Passed first consideration.

**House Bill No. 1329** -- Occupational Licenses and Licensing Boards -- Revises requirements relative to licenses of polygraph examiners. Amends TCA, Title 62, Ch. 27. by \*Odom.

Passed first consideration.

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**\*House Bill No. 1330** -- Marshall County -- Repeals superseded meeting dates of regular sessions of county court. Repeals TCA, Ch. 128, Pr. Acts 1945. by \*Phillips, DePriest.

Passed first consideration.

**\*House Bill No. 1331** -- Gambling -- Repeals all statutes which authorize gambling. Repeals TCA, Title 4, Ch. 36, 39-6-609; Title 62, Ch. 33. by \*Rhinehart.

Passed first consideration.

**\*House Bill No. 1332** -- Motor Vehicles, Titling and Registration -- Annualizes fee for reflectorized license plates. Amends TCA, Title 55, Ch. 4. by \*Rhinehart.

Passed first consideration.

**House Bill No. 1333** -- Sports -- Authorizes civil cause of action against person who violates rule of national collegiate athletic association. by \*Purcell.

Passed first consideration.

**\*House Bill No. 1334** -- Claims Commission, Tennessee -- Permits board of claims to hear claims for property damage caused by state prison escapees. Amends TCA 9-8-108. by \*Rhinehart.

Passed first consideration.

**\*House Bill No. 1335** -- Highways, Roads and Bridges -- Provides for directional signs on I-40 to Big South Fork National Park and Watts Barr Lake. by \*Henry J.

Passed first consideration.

**\*House Bill No. 1336** -- Planning, Public -- Permits regulations adopted concerning regional and municipal planning to be more stringent than statute. Amends TCA, Title 13. by \*Wheeler.

Passed first consideration.

**\*House Bill No. 1337** -- Environmental Preservation -- Regulates storage tanks. by \*Davis J K.

Passed first consideration.

**\*House Bill No. 1338** -- Solid Waste Disposal -- Imposes tonnage fee on disposal of solid wastes and provides for expenditure of resulting revenues. Amends TCA, Titles 68, 69. by \*Davis J K.

Passed first consideration.

**\*House Bill No. 1339** -- Blount County -- Provides for reapportionment of educational districts from which members of county board of school supervisors shall be elected. Amends Chapter 60, Private Acts of 1961, as amended. by \*Swann, \*Huskey.

Passed first consideration.

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**House Bill No. 1340** -- Statutes -- Codifies Public Acts of 1987. by \*Naifeh, Buck, Chiles.

Passed first consideration.

**RESOLUTION WITHDRAWN**

On motion of Rep. Ellis, House Joint Resolution No. 414 was recalled from the Calendar and Rules Committee.

On motion of Rep. Ellis, House Joint Resolution No. 414 was withdrawn from the House.

**SPONSOR ADDED**

Without objection, the rules were suspended to allow the following member to add his name as a sponsor as indicated below, the prime sponsor having agreed to such addition:

House Joint Resolution No. 415: Rep. Henry as a prime sponsor.

**ENGROSSED**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 419, 420, 421; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 419, 420, 421; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 419, 420, 421; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**TUESDAY, JANUARY 12, 1988 - FORTY-FOURTH LEGISLATIVE DAY**

**ROLL CALL**

The roll call was taken with the following results:

Present. . . . . 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kieber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

On motion of Rep. Naifeh, the House adjourned until 1:30 P.M., Wednesday, January 13, 1988.